

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highway and Motor Traffic, to whom was referred S. B. No. 254,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed, but printed in the Journal.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 236,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred S. B. No. 314,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 253,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 148,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 285,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 255.

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

TWENTY-EIGHTH DAY.

Senate Chamber,
Austin, Texas,

Wednesday, February 18, 1925.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Miller.	Ward.
Moore of Cooke.	Wirtz.
Moore of Hunt.	Witt.
Murphy.	Wood.
Parnell.	Woodward.
Parr.	

Absent—Excused.

Hardin of Erath. Lewis.

Prayer by Rev. Jewett of Austin.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Davis.

Bills and Resolutions.

By Senator Parr, by request:

S. B. No. 336, A bill to be entitled "An Act to amend Acts Regular Session Thirty-eighth Legislature, Chapter 14, page 18, approved February 19, 1919, relating to pool halls by adding thereto Section 3a authorizing posts of war veterans, Young Men's Christian Association, religious orders, fraternal orders, labor temples and bona fide State chartered clubs to charge reasonable fee for use of their billiard tables to maintain such equipment, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Russek, et al.:

S. B. No. 337, A bill to be entitled "An Act to amend Chapter 155 of the Acts of the Thirty-fourth Legislature as amended by Chapter 23 of the Acts of the Thirty-fifth Legislature and to amend subdivision 9, 75 and 80 of Article 30, Title 5 of the Revised Civil Statutes of the State of Texas, and to amend Chapter 104 of the laws passed by the Thirty-eighth Legislature approved March 31, 1923, and to reorganize the Seventy-fifth Judicial District of Texas and remove therefrom the county of Montgomery; and to reorganize the Ninth Judicial District of Texas and remove therefrom the counties of Hardin and Liberty, and to add thereto the county of Waller, and to remove said county of Waller from the Eightieth Judicial District of the State of Texas, and fixing the time of holding court in said Seventy-fifth, Ninth and Eightieth Judicial Districts, and providing for the continuance in office of the present district judges and district attorneys within certain limits, and validating process, bonds, recognizance and decrees issued and rendered under existing arrangements; and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Wood, et al.:

S. B. No. 338, A bill to be entitled "An Act amending Article 3785 of the

Revised Civil Statutes of 1911; providing that the homestead of the family, all household and kitchen furniture, any lot or lots in a cemetery held for the purpose of sepulture, all implements of husbandry, all tools, apparatus and books belonging to any trade or profession, the family library, and all family portraits and pictures, five milk cows and their calves, two yoke of work oxen, with necessary yokes and chains, two horses and one wagon, one carriage or buggy, other than a motor vehicle or an electric vehicle, one gun, twenty hogs, twenty head of sheep, all saddles, bridles and harness necessary for the use of the family, all provisions and forage on hand for home consumption, and all current wages for personal services shall be reserved to every family, exempt from attachment or execution and every other species of forced sale for the payment of debts, except as herein-after provided, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Berkeley:

S. B. No. 339, A bill to be entitled "An Act to amend Section 1, Chapter 9, Special Laws of the Thirty-eighth Legislature, Regular Session, being entitled, 'An Act creating the Rocksprings Independent School District in Edwards County, Texas, defining the metes and bounds, providing a board of trustees therefor, for raising revenue, issuing bonds, vesting it with the rights, powers and duties of districts incorporated for school purposes only under the General Laws of the State of Texas, providing for an election to assume the outstanding bonds of the Rocksprings Common School District, and declaring an emergency,' so that the said above recited section shall hereafter read as herein set out; and adding a new section to said Act to be known as Section 2a validating the bonds of said Rocksprings Independent School District, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Miller, by request:

S. B. No. 340, A bill to be entitled "An Act fixing the compensation of county commissioners in counties of judicial districts comprised of two counties on January 1, 1925, having a total population within said districts of not less than thirty-five

thousand nor more than forty-one thousand inhabitants according to the last United States census, and which have an aggregate area of not less than 1890 square miles according to the records of the General Land Office of Texas, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Smith:

S. B. No. 341, A bill to be entitled "An Act amending Chapter 8 of the Local and Special Laws of the Third Called Session of the Thirty-eighth Legislature of the State of Texas, creating the Woodson Independent School District in Throckmorton and Stephens Counties, Texas, so as to reduce the territory included in and re-define the boundaries of said Woodson Independent School District; providing for a board of trustees in said district, conferring upon said district and its board of trustees all the rights, powers, privileges, and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the boards of trustees thereof; providing that the present board of trustees continue in office until the expiration of their respective terms; providing that the outstanding bonded indebtedness of all school districts or parts thereof included within the bounds of said district shall remain chargeable against the territory which voted the same, and providing that the district as herein created may assume such outstanding bonded indebtedness; prohibiting the district as herein established from selling any of the bonds voted by the Woodson Independent School District as created by said Chapter 8 of the Local and Special Laws of the Third Called Session of the Thirty-eighth Legislature of the State of Texas; providing for the repeal of all laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Price and Others:

S. B. No. 342, A bill to be entitled "An Act amending Section 1 of Chapter 62, of the General Laws passed at the Regular Session of the Thirty-second Legislature, so as to change the amount of money that Commissioners' courts may appropriate for

farmers co-operative demonstration work from \$1000.00 per year to \$1500.00 per year and providing that commissioners' courts may co-operate in such work with the United States Department of Agriculture and the Agricultural and Mechanical College of Texas, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Murphy:

S. J. R. No. 15, A joint resolution "Proposing an amendment to Article 16 of the State Constitution by adding thereto a new section to be known as Section 30b providing that cities of more than one hundred thousand inhabitants may increase the tenure of officers of their city to four years by vote of the inhabitants of such cities, fixing the time for holding the election, and making appropriation therefor."

Read first time and referred to Committee on Constitutional Amendments.

Invitation to Visit Laredo

Senator Parr here stated that the citizens of Laredo invited the Senate to visit with them Saturday to Monday on account of February 22nd being a holiday, and stated that a low railroad rate had been arranged.

House Bill No. 14.

The Chair laid before the Senate, on second reading,

H. B. No 14, A bill to be entitled "An Act to define and prohibit bucket shops and dealings therein; to regulate contracts for future delivery of cotton, etc; to declare under what conditions such contracts shall be valid; to prescribe penalties for the violation of this Act; and to repeal Articles 536 and 537 of Chapter 2, Title 11, and all of Chapter 3, of Title 11, of the Revised Penal Code of the State of Texas."

The bill was read second time and passed to a third reading.

House Bill No. 19.

The Chair laid before the Senate, on second reading,

H. B. No. 19, A bill to be entitled "An Act reorganizing the Thirtieth Judicial District by amending Subdivision 30, Article 30, of the Revised

Statutes of 1911, as amended to hereinafter read as follows, and declaring an emergency."

The bill was read second time, and Senator Parnell offered the following amendments, severally, which were read and adopted:

1. Amend House Bill No. 19, by adding to the end of the caption the following: "and validating service and process."

2. Amend House Bill No. 19, by adding just before Section 2, the following:

"All process issued, bonds and recognizances made, and all grand and petit jurors drawn before this Act takes effect shall be valid for and returnable to the next succeeding terms of the district courts of the several counties, as herein fixed as though issued and served for such terms and returnable to and drawn for the same."

The bill was passed to a third reading.

On motion of Senator Parnell, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 19 put on its third reading and final passage, by the following vote:

Yeas—28.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Kaufman.	Strong.
Holbrook.	Stuart.
Miller.	Triplett.
Moore of Hunt.	Ward.
Moore of Cooke.	Wirtz.
Murphy.	Witt.
Parnell.	Wood.

Absent.

Woodward.

Absent—Excused.

Hardin of Erath. Lewis.

H. B. No. 19 was then laid before the Senate, read third time, and passed finally, by the following vote:

Yeas—28.

Bailey.	Fairchild.
Berkeley.	Floyd.
Bledsoe.	Hardin of Kaufman.
Bowers.	Holbrook.
Davis.	Miller.

Moore of Hunt.	Russek.
Moore of Cooke.	Smith.
Murphy.	Strong.
Parnell.	Stuart.
Parr.	Triplett.
Pollard.	Ward.
Price.	Wirtz.
Real.	Witt.
Reid.	Wood.

Absent.

Woodward.

Absent—Excused.

Hardin of Erath. Lewis.

House Bill No. 59.

The Chair laid before the Senate, on second reading,

H. B. No. 59, A bill to be entitled "An Act amending Section 1 of Chapter 167, Act of March 30, 1917, and being Article 342 of Title 13, Chapter 1 of the Revised Statutes of Texas, relating to the appointment of an assistant district attorney in certain districts, his qualifications, bond and oath of office, powers and duties, and his tenure of office."

The bill was read second time and passed to a third reading.

House Bill No. 78.

The Chair laid before the Senate, on second reading,

H. B. No. 78, A bill to be entitled "An Act to amend Chapter 15, pages 30 and 31 of the laws passed at the Regular Session of the Thirty-seventh Legislature, 1921, by changing the time and terms of holding court in the Eighty-third Judicial District so that Section 1 of said Act, as it relates to said Eighty-third Judicial District shall hereafter read as follows, and declaring an emergency."

The bill was read second time and laid on the table, subject to call.

House Bill No. 79.

The Chair laid before the Senate, on second reading,

H. B. No. 79, A bill to be entitled "An Act amending Article 5693, Chapter 2, Title 87, Revised Civil Statutes of Texas, 1911, as amended by Chapter 123 of the General Laws of Texas passed at the Regular Session of the Thirty-third Legislature, relating to notes secured by certain deeds of trust, or mortgages on land, and when the same shall be

barred by limitation, and providing that powers of sale under deeds of trust or mortgages shall not be executed after the notes secured thereby are barred by limitation, and amending Article 5695, Chapter 2, Title 87, Revised Civil Statutes of Texas, 1911, as amended by Chapter 123, General Laws of Texas, passed at the Regular Session of the Thirty-third Legislature and as amended by Chapter 27, General Laws of Texas, passed at the First Called Session of the Thirty-third Legislature, relating to the renewal and extension of liens that are secured by deeds of trust, mortgages, or vendors' liens on real estate, and providing that thereafter said articles shall read as herein, and declaring an emergency."

The bill was read second time and passed to a third reading.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, Feb. 18, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

The House has concurred in Senate amendments to H. B. No. 218.

H. C. R. No. 14, relating to excess charges of railroad fares and urging the Interstate Commerce Commission to restore certain powers to the Texas Railroad Commission.

H. C. R. No. 15, amending H. B. No. 218 by inserting the field notes.

H. B. No. 38, A bill to be entitled "An Act making provision for a better system of schools in the various counties of this State; providing for rural high school districts and elementary school districts; providing the method forming such districts and providing the manner in which school districts may be included in such rural high school districts and elementary school districts; providing for the necessary taxation and funds to carry out such purposes, and declaring an emergency."

H. B. No. 295, A bill to be entitled "An Act to amend Sections 5, 11 and 13, of Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session, and adding thereto new Sections 13a, 13b, 13c, 13d, 13e, 13f, 13g, 13h, 13i, 13j, 13k, 13l, 13m and 13n, as follows: by amending Section 5, prescribing the qualifica-

tions, powers and duties of the Texas State Board of Examiners in Optometry; by amending Section 11 to provide for application for licenses, prescribing qualifications of applicants for licenses, registration and examination of applicants, issuance, recording and registration of licenses and certificates, and fees therefor; providing minimum and maximum standard of education for applicants, and empowering board to regulate this standard; providing for the issuance of licenses by reciprocity with other States and fees therefor by amending Section 13; providing for the revocation of licenses for cause, and the manner in which said licenses may be revoked by the board, giving right of appeal from decision of board to the district court of Travis county; providing that district and county attorneys, or Attorney General of the State in all court actions when authorized by the board shall act; making it the duty of county clerks of each county to note revocations of license in the optometry register of the county, upon notice by publication; making provision for reinstatement of licenses; prescribing duty of county clerks to make entries in optometry registers of expiration of license because of death of an optometrist by adding Section 13a; providing for an annual renewal fee and the price therefor, and declaring the license void for non-payment thereof by authority. Section 13b, prescribing the duties of board as to issuance and refusal of annual renewal certificates by adding Section 13c; defining "itinerant", and prescribing regulation and fees for issuance of "itinerant" certificates by adding Section 13d; defining and construing the words "ascertaining" and "measuring the powers of vision of the human eye," as used in Section 1, Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session, by adding Section 13e; defining and construing the words, "and fitting lenses or prisms," as used in Section 1, Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session, by adding Section 13f; defining and construing the words, "A bill of purchase or sale," as used in Section 14, Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session, by adding Section 13g; defining and construing the words "Persons who sell spectacles and eye-glasses as merchan-

dise," as used in Section 16, Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session, by adding Section 13h; defining and construing the words "And those who fit glasses for their customers," as used in Section 16, Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session, by adding Section 13i; providing for and defining certain violations of this act in the interest of public health, welfare, safety and comfort, and making these violations unlawful and providing penalties therefor, by adding Section 13j, allowing an optical mechanic to do the mechanical work of manufacturing ophthalmic lenses and the sale thereof to licensed prescribed of glasses and defining ophthalmic lenses, and allowing sale of ready-to-wear spectacles and eyeglasses, as merchandise at wholesale to merchants for the purpose of resale as merchandise, by adding Section 13k; defining and construing the words "Other grossly unprofessional, or dishonorable conduct of a character likely to deceive or defraud the public," as used in Section 12, Chapter 51, Acts of the Thirty-seventh Legislature, First Called Session, and for the purpose of subdivision; providing for conclusive evidence, by adding Section 13l, prescribing that the singular number shall include both singular and plural and vice versa, that the masculine gender shall comprehend also the feminine gender and vice versa, by adding Section 13m; making it unlawful for any person in this State to give or cause to be given, deliver or cause to be delivered, in any manner whatsoever any spectacles and any eye-glasses, as a prize or a premium, as an inducement to sell any book, paper or magazine, or to sell subscriptions therefor, or any work of literature or art, or any item of merchandise whatsoever, by adding Section 13n; providing that if any part is held unconstitutional or inoperative, it shall not invalidate any other part, and that if any exception or limitation upon any general provision shall be held unconstitutional, or invalid, the general provisions shall stand effective and valid, and to declare an emergency."

Respectfully submitted,
C. L. PHINNEY,
Chief Clerk, House of Representatives.

House Bills on First Reading.

The following House Bills were laid before the Senate, read severally first time and referred to appropriate committees:

H. B. No. 38, referred to Committee on Educational Affairs.

H. B. No. 295, referred to Committee on Public Health.

H. C. R. No. 15.

The Chair laid before the Senate, H. C. R. No. 15, relating to amending H. B. No. 218, etc.

The resolution was unanimously adopted.

H. C. R. No. 14.

The Chair laid before the Senate, H. C. R. No. 14, relating to petitioning the Interstate Commerce Commission to restore certain powers to the Railroad Commission.

The resolution was read and adopted.

House Bill No. 103.

The Chair laid before the Senate, on second reading,

H. B. No. 103, A bill to be entitled "An Act to prevent fraud in the selling and repairing of mattresses, sleeping pads, quilts and comforts."

The bill was read second time, and Senator Bailey moved that the further consideration of the bill be indefinitely postponed.

Senator Fairchild moved to table the motion to postpone, which motion to table was lost, by the following vote:

Yeas—11.

Bledsoe.	Price.
Fairchild.	Reid.
Floyd.	Smith.
Hardin of Kaufman.	Stuart.
Moore of Cooke.	Triplett.
Murphy.	

Nays—13.

Bailey.	Russek.
Berkeley.	Strong.
Real.	Ward.
Bowers.	Wirtz.
Davis.	Witt.
Parnell.	Wood.
Parr.	

Absent.

Holbrook.	Pollard.
Miller.	Woodward.
Moore of Hunt.	

Absent—Excused.

Hardin of Erath. Lewis.

The motion to postpone was then lost, by the following vote:

Yeas—11.

Bailey.	Smith.
Berkeley.	Strong.
Bowers.	Ward.
Davis.	Wirtz.
Real.	Wood.
Russek.	

Nays—13.

Bledsoe.	Parr.
Fairchild.	Price.
Floyd.	Reid.
Hardin of Kaufman.	Stuart.
Moore of Cooke.	Triplett.
Murphy.	Witt.
Parnell.	

Absent.

Holbrook.	Pollard.
Miller.	Woodward.
Moore of Hunt.	

Absent—Excused.

Hardin of Erath. Lewis.

Action then recurred on the passage of the bill to a third reading, and the same failed of passage, by the following vote:

Yeas—11.

Bledsoe.	Reid.
Fairchild.	Smith.
Floyd.	Stuart.
Moore of Cooke.	Triplett.
Murphy.	Witt.
Price.	

Nays—13.

Bailey.	Real.
Berkeley.	Russek.
Bowers.	Strong.
Davis.	Ward.
Hardin of Kaufman.	Wirtz.
Parnell.	Wood.
Parr.	

Absent.

Holbrook.	Pollard.
Miller.	Woodward.
Moore of Hunt.	

Absent—Excused.

Hardin of Erath. Lewis.

House Bill No. 107.

The Chair laid before the Senate, on second reading,

H. B. No. 107, A bill to be entitled "An Act to amend Section 2, Chapter 23, Acts of the Second Called Session of the Thirty-sixth Legislature, fixing a maximum portion of the thirty-five cent ad valorem school tax to be used for purchase and distribution of free text books, and declaring an emergency."

The bill was read second time and passed to a third reading.

House Bill No. 90.

The Chair laid before the Senate, on second reading,

H. B. No. 90, A bill to be entitled "An Act amending Article 5655 and Article 5658, Chapter 7, Title 86, Revised Civil Statutes of Texas, 1911, regarding instruments intended to operate as liens on personal property, and providing for the filing and registration thereof, and the effect of such instruments when not filed for registration, by adding thereto a provision in reference to the filing and registration of transfers of chattel mortgages, deeds of trust and other evidences of lien upon personal property."

The bill was read second time, and Senator Ward offered the following amendment:

Amend H. B. No. 90 by adding after the word "Registration" in line 14, page 3, the following words:

"And the county clerk shall charge a fee of twenty-five cents for making said transfer on the original record as above set forth in Article 5658."

Senator Fairchild moved that the bill be laid on the table, subject to call, which motion was adopted.

House Bill No. 147.

The chair laid before the Senate, on second reading,

H. B. No. 147, A bill to be entitled "An Act to amend Article 3883, Revised Civil Statutes of Texas fixing fees allowed officers in counties having a population of 37,000 inhabitants, or containing cities of 25,000, and declaring an emergency."

The bill was read second time and passed to a third reading.

House Bill No. 176.

The Chair laid before the Senate, on second reading,

H. B. No. 176, A bill to be entitled "An Act validating Common Line

Consolidated School District No. 3 of Henderson and Kaufman Counties as defined and attempted to be created by the county board of school trustees of Henderson County on September 4, 1923, and the county board of school trustees of Kaufman County on August 13, 1923, validating all bond issues and special taxes which may have been voted by said district, ratifying all acts of the local board of trustees of said district under the control of Henderson County, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Hardin of Kaufman, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 176 put on its third reading and final passage, by the following vote:

Yeas—27.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Moore of Hunt.	Ward.
Moore of Cooke.	Wirtz.
Murphy.	Witt.
Parnell.	Wood.
Parr.	

Absent.

Miller. Woodward.

Absent—Excused.

Hardin of Erath. Lewis.

H. B. No. 176 was laid before the Senate, read third time, and passed finally, by the following vote:

Yeas—27.

Bailey.	Murphy.
Berkeley.	Parnell.
Bledsoe.	Parr.
Bowers.	Pollard.
Davis.	Price.
Fairchild.	Real.
Floyd.	Reid.
Hardin of Kaufman.	Russek.
Holbrook.	Smith.
Moore of Hunt.	Strong.
Moore of Cooke.	Stuart.

Triplett.
Ward.
Wirtz.

Witt.
Wood.

Absent.

Miller. Woodward.

Present—Not Voting.

Hardin of Erath. Lewis.

House Bill No. 187.

The Chair laid before the Senate, on second reading,

H. B. No. 187, A bill to be entitled "An Act creating and incorporating the Comfort Independent County Line School District lying in the counties of Kendall and Kerr in the State of Texas, defining the boundaries thereof, providing for a board of trustees thereof, placing said independent district under the control of the General Laws governing independent district, providing that no outstanding indebtedness of the Comfort line district be invalidated, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Real, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 187 put on its third reading and final passage, by the following vote:

Yeas—27.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Moore of Hunt.	Ward.
Moore of Cooke.	Wirtz.
Murphy.	Witt.
Parnell.	Wood.
Parr.	

Absent.

Miller. Woodward.

Present—Not Voting.

Hardin of Erath. Lewis.

H. B. No. 187 was laid before the Senate, read third time, and passed finally.

House Bill No. 195.

The Chair laid before the Senate, on second reading.

H. B. No. 195, A bill to be entitled "An Act creating and incorporating the Center Independent School District in Shelby County, Texas, including the present Center Independent School District of said county; providing a board of trustees and vesting said independent school district and board of trustees with all rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas; providing that the board of trustees of the school district shall continue to act as such until their successors are elected, as provided herein; divesting the city of Center of the control of the public school district, as created by this Act, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Strong, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 195 put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Moore of Hunt.	Ward.
Moore of Cooke.	Wirtz.
Murphy.	Witt.
Parnell.	Wood.
Parr.	

Absent.

Miller. Woodward

Present—Not Voting.

Hardin of Erath. Lewis.

H. B. No. 195 was laid before the Senate, read third time, and passed finally by the following vote:

Yeas—27.

Bailey.	Davis.
Berkeley.	Fairchild.
Bledsoe.	Floyd.
Bowers.	Hardin of Kaufman

Holbrook.	Russek.
Moore of Hunt.	Smith.
Moore of Cooke.	Strong.
Murphy.	Stuart.
Pollard.	Triplett.
Parr.	Ward.
Parnell.	Wirtz.
Price.	Witt.
Real.	Wood.
Reid.	

Absent.

Miller. Woodward.

Present—Not Voting.

Hardin of Erath. Lewis.

House Bill No. 216.

The Chair laid before the Senate, on second reading.

H. B. No. 216, A bill to be entitled "An Act to amend Chapter 102, Special Laws of the Thirty-eighth Legislature enacted at its Regular Session, creating the Spicewood Independent School District; the said amendment providing for redefining the boundaries of said school district and providing for retention in office of present board of trustees and confirming the right of the present board of trustees under the General Laws of the State of Texas; validating all taxes now in force; providing for election to determine whether or not the taxes for the district shall be levied, assessed and collected on all property in said district as extended by this Act, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Wood, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 216 put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Murphy.
Berkeley.	Parnell.
Bledsoe.	Parr.
Bowers.	Pollard.
Davis.	Price.
Fairchild.	Real.
Floyd.	Reid.
Hardin of Kaufman	Russek.
Holbrook.	Smith.
Moore of Hunt.	Strong.
Moore of Cooke.	Stuart.

Triplett. Witt.
Ward. Wood.
Wirtz.

Absent.

Miller. Woodward.

Absent—Excused.

Hardin of Erath. Lewis.

H. B. No. 216 was laid before the Senate, read third time, and passed finally by the following vote:

Yeas—27.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Moore of Hunt.	Ward.
Moore of Cooke.	Wirtz.
Murphy.	Witt.
Parnell.	Wood.
Parr.	

Absent.

Miller. Woodward.

Absent—Excused.

Hardin of Erath. Lewis.

House Bill No. 236.

The Chair laid before the Senate, on second reading,

H. B. No. 236, A bill to be entitled "An Act to repeal Chapter 134, of the Local and Special Laws of the Regular Session of the Thirty-eighth Legislature of the State of Texas, being 'An Act to create a more efficient road law for Walker County, Texas,' etc., as amended by Chapter 6 of the Special Laws of the First Called Session of the Thirty-fourth Legislature of the State of Texas, and as further amended by Chapter 32 of the Special Laws of the Third Called Session of the Thirty-sixth Legislature of the State of Texas, to place Walker County under the operation of the General Road Laws of the State of Texas, and providing that nothing in this Act shall affect in anywise road bonds heretofore issued by said Walker County or any subdivision thereof, or impair any existing contract executed or entered into by the commissioners' court of said

Walker County, pursuant to the Special Road Laws hereby repealed, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Bowers, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 236 put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Moore of Hunt.	Ward.
Moore of Cooke.	Wirtz.
Murphy.	Witt.
Parnell.	Wood.
Parr.	

Absent.

Miller. Woodward.

Absent—Excused.

Hardin of Erath. Lewis.

H. B. No. 236 was laid before the Senate, read third time, and passed finally by the following vote:

Yeas—27.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Moore of Hunt.	Ward.
Moore of Cooke.	Wirtz.
Murphy.	Witt.
Parnell.	Wood.
Parr.	

Absent.

Miller. Woodward.

Absent—Excused.

Hardin of Erath. Lewis.

House Bill No. 249.

The Chair laid before the Senate, on second reading,

H. B. No. 249, A bill to be entitled "An Act providing for the care, restraint, diagnosis and treatment of persons who are insane, mentally ill or mentally defective; providing for regulating and providing for operation of public institutions and hospitals for such persons; providing for the necessary officers, agents, agencies and employes for such purpose and to administer and enforce the laws relative to such persons; providing for sustenance and maintenance of such persons; providing for education and research relating to such persons; providing psychopathic research and hospitals; providing for the adjudication of insanity or mental sickness or defect, the commitment and restraint of persons so afflicted, licensing and regulating private persons, hospitals and institutions caring for or treating insane or mentally defective or ill persons; prescribing rules and regulations and defining offenses in connection with the care and treatment of such person; providing the necessary funds and fixing necessary salaries to carry out the purpose of this Act, repealing provisions of the Revised Civil Statutes and all other laws in conflict herewith, and declaring an emergency."

The bill was read second time, and Senator Davis offered the following amendments, severally, which were read and adopted:

1. Amend House Bill No. 249, page 3, line 31, after the words, "shall be", by inserting the words, "not to exceed".

2. Amend House Bill No. 249, page 8, line 32, by striking out the word "thirty", and inserting in lieu thereof the word "sixty".

3. Amend House Bill No. 249, page 6, line 30, by striking out the word "lunacy" and inserting in lieu thereof the word "insanity".

Pending discussion, Senator Stuart moved that the bill lie on the table, subject to call.

Pending discussion, Senator Wirtz offered the following amendment, which was read and adopted.

Amend H. B. No. 249 by adding a new section following Section 26 to read as follows:

"Sec. 26a. Nothing herein shall be held to affect or repeal the provisions of any law now existing or

hereafter enacted relating to the appointment of guardians of insane persons, or persons of unsound mind."

The motion to lay the bill on the table subject to call was lost, by the following vote:

Yeas—10.

Berkeley.	Parr.
Bowers.	Pollard.
Fairchild.	Real.
Moore of Hunt.	Reid.
Parnell.	Stuart.

Nays—19.

Bailey.	Russek.
Bledsoe.	Smith.
Davis.	Strong.
Floyd.	Triplett.
Hardin of Kaufman	Ward.
Holbrook.	Wirtz.
Miller.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Price.	

Absent—Excused.

Hardin of Erath. Lewis.

Senator Stuart, at 12 m. moved that the Senate recess until 2:30 o'clock today, and the motion was lost.

Action recurred on the pending business, H. B. No. 249, and,

Senator Murphy moved the previous question on the passage of the bill to a third reading, which motion, being duly seconded, was ordered.

H. B. No. 249 was then passed to a third reading, by the following vote:

Yeas—22.

Bailey.	Price.
Berkeley.	Real.
Bledsoe.	Russek.
Davis.	Smith.
Floyd.	Strong.
Hardin of Kaufman	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Pollard.	Woodward.

Nays—6.

Bowers.	Parnell.
Fairchild.	Reid.
Moore of Hunt.	Stuart.

Absent.

Parr.

Absent—Excused.

Hardin of Erath. Lewis.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, Feb. 18, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 217, A bill to be entitled "An Act to protect life and limb by requiring safeguarding of all passenger elevators within the State of Texas; providing for approval of safety devices, and fixing a penalty."

H. B. No. 281, A bill to be entitled "An Act to provide for the inspection and standardizations of junior colleges, teachers' colleges, colleges and universities of the first class; prescribing fees therefor; providing fees to be paid by teachers securing certificates based on work done in such institutions; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 285, A bill to be entitled "An Act to create the Wolfe City Independent School District in Hunt County, Texas, including the present Wolfe City Independent School District of said county; providing for a board of trustees in said district; vesting said independent school district and board of trustees with all the powers, rights, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas; providing that the board of trustees of the present Wolfe City Independent School District shall continue to act as such herein, etc."

H. B. No. 401, A bill to be entitled "An Act to create Common County Line School District No. 37, in Williamson and Burnet Counties, Texas, including therein the present Long Grove Common County Line School District No. 37, of Burnet and Williamson Counties, and the Prairie Lee Common School District No. 10, of Williamson County; providing a board of trustees therefor; vesting said school district board of trustees with all the rights, powers, privileges and duties conferred upon common county line school districts incorporated under the General Laws of Texas, and providing for a board of trustees to serve until the time for the next election of school trustees as provided by General

Laws; providing for the validation of all contracts for maintenance of the schools of the districts herein incorporated for the current scholastic year, as the subsisting obligations and acts of the Common County Line School District No. 37 as created by this Act; conferring upon Williamson County jurisdiction over the said district, and declaring an emergency."

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

House Bills on First Reading.

The following House Bills were laid before the Senate, read severally first time and referred to appropriate committees:

H. B. No. 217, referred to Committee on Criminal Jurisprudence.

H. B. No. 281, referred to Committee on Educational Affairs.

H. B. No. 385, referred to Committee on Educational Affairs.

H. B. No. 401, referred to Committee on Educational Affairs.

Recess.

On motion of Senator Wood the Senate, at 12:10 o'clock p. m., recessed until 2:30 o'clock today.

After Recess.

The Senate was called to order by Lieutenant Governor Miller.

House Bill No. 249.

On motion of Senator Davis, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 249 put on its third reading and final passage, by the following vote:

Yeas—20.

Berkeley.	Parr.
Bledsoe.	Price.
Bowers.	Russek.
Davis.	Smith.
Floyd.	Strong.
Hardin of Kaufman	Triplett.
Holbrook.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.

Nays—5.

Miller.	Reid.
Moore of Hunt.	Stuart.
Pollard.	

Absent.

Bailey.	Real.
Fairchild.	Ward.

Absent—Excused.

Hardin of Erath. Lewis.

H. B. No. 249 was laid before the Senate, read third time, and

Senator Stuart offered the following amendment:

Amend H. B. No. 249 by striking out all of Section 8 of the printed bill and renumbering the following sections accordingly.

MOORE of Hunt.
STUART.

The amendment was read and lost by the following vote, a two-third vote being necessary:

Yeas—8.

Bowers.	Reid.
Moore of Hunt.	Smith.
Parnell.	Stuart.
Parr.	Wirtz.

Nays—16.

Berkeley.	Moore of Cooke.
Bledsoe.	Murphy.
Davis.	Price.
Fairchild.	Russek.
Floyd.	Strong.
Hardin of Kaufman	Triplett.
Holbrook.	Witt.
Miller.	Wood.

Absent.

Bailey.	Ward.
Pollard.	Woodward.
Real.	

Absent—Excused.

Hardin of Erath. Lewis.

Senator Stuart offered the following amendment:

Amend H. B. No. 249 by striking out all of Section 9 of the printed bill and inserting in lieu thereof the following:

There shall be established and maintained a psychopathic hospital, location of same to be selected by the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, the Chairman of the Board of Health and the Chairman of the Board of Control. Such psychopathic hospital shall be a hospital for the treatment of nervous and mental diseases both in the hos-

pital an in out patient clinic, and shall be available for observation and study by the students or faculty of any medical college within the State of Texas, and also shall be available for the study and observation of any physician within the State, or of any man who is studying mental diseases within the State of Texas. The superintendent of the psychopathic hospital shall be appointed by the members of the Board of Control acting in conjunction with the president of the State Board of Health and the chairman of the Board of Medical Examiners.

MOORE of Hunt.
STUART.

(President Pro Tem Wirtz in the Chair.)

The amendment was read and lost by the following vote:

Yeas—8.

Bailey.	Parnell.
Bowers.	Pollard.
Fairchild.	Reid.
Moore of Hunt.	Stuart.

Nays—20:

Berkeley.	Real.
Bledsoe.	Russek.
Davis.	Smith.
Floyd.	Strong.
Hardin of Kaufman	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Price.	Woodward.

Absent.

Parr.

Absent—Excused.

Hardin of Erath. Lewis.

Senator Reid moved that the further consideration of the bill be postponed indefinitely, and

Senator Murphy moved the previous question on the motion to postpone, and on the bill, which motion was duly seconded.

The Senate refused to order the previous question, by the following vote:

Yeas—13.

Bailey.	Holbrook.
Berkeley.	Murphy.
Davis.	Russek.
Floyd.	Strong.

Triplett. Wood.
Ward. Woodward.
Witt.

Nays—15.

Bledsoe. Pollard.
Bowers. Price.
Fairchild. Real.
Hardin of Kaufman Reid.
Miller. Smith.
Moore of Hunt. Stuart.
Moore of Cooke. Wirtz.
Parnell.

Absent.

Parr.

Absent—Excused.

Hardin of Erath. Lewis.

(Lieutenant Governor Miller in the Chair.)

Action recurred on the motion to postpone the further consideration of the bill indefinitely.

Senator Reid withdrew the motion.

Senator Parnell offered the following amendment:

Amend H. B. No. 249 by striking out Section 9, and inserting in lieu thereof the following:

There shall be established and maintained a psychopathic hospital in connection with the insane hospital located at Wichita Falls.

STUART.

MOORE of Hunt.

PARNELL.

The amendment was read and, after discussion was lost, by the following vote:

Yeas—6.

Bowers. Parr.
Moore of Hunt. Reid.
Parnell. Stuart.

Nays—23.

Bailey. Price.
Berkeley. Real.
Bledsoe. Russek.
Davis. Smith.
Fairchild. Strong.
Floyd. Triplett.
Hardin of Kaufman Ward.
Holbrook. Wirtz.
Miller. Witt.
Moore of Cooke. Wood.
Murphy. Woodward.
Pollard.

Absent—Excused.

Hardin of Erath. Lewis.

Senator Pollard offered the following amendment:

Amend H. B. No. 249, by striking out lines 8 to 13, beginning with the word "The" after period in line 8, and ending with the word "college" before period in line 13, and line 18, beginning with the word "The" after period in line 19, to and including line 23, on page 6.

The amendment was read and lost, by the following vote:

Yeas—8.

Bowers. Parr.
Fairchild. Pollard.
Moore of Hunt. Reid.
Parnell. Stuart.

Nays—20.

Bailey. Price.
Berkeley. Russek.
Bledsoe. Smith.
Davis. Strong.
Floyd. Triplett.
Hardin of Kaufman Ward.
Holbrook. Wirtz.
Miller. Witt.
Moore of Cooke. Wood.
Murphy. Woodward.

Absent.

Real.

Absent—Excused.

Hardin of Erath. Lewis.

The bill was then passed finally, by the following vote:

Yeas—20.

Berkeley. Price.
Bledsoe. Russek.
Davis. Smith.
Fairchild. Strong.
Floyd. Triplett.
Hardin of Kaufman Ward.
Holbrook. Wirtz.
Miller. Witt.
Moore of Cooke. Wood.
Murphy. Woodward.

Nays—8.

Bailey. Parr.
Bowers. Pollard.
Moore of Hunt. Reid.
Parnell. Stuart.

Absent.

Real.

Absent—Excused.

Hardin of Erath. Lewis.

The Chief Clerk of the House appeared at the bar of the Senate and made a verbal request from the House to withdraw H. C. R. No. 15, and, on motion of Senator Strong, the request was granted.

Message from the House.

Hall of House of the Representatives,
Austin, Texas, Feb. 18, 1925.
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed H. C. R. No. 16, correcting H. B. No. 218.

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

H. C. R. No. 16.

The Chair laid before the Senate, H. C. R. No. 16, correcting H. B. No. 218.

The resolution was adopted by unanimous consent.

H. B. No. 255.

The Chair laid before the Senate, on second reading.

H. B. No. 255, A bill to be entitled "An Act to repeal Chapter 7 of the Local and Special Laws of the Third Called Session of the Thirty-fifth Legislature of the State of Texas, being an act creating a more efficient road system for Madison county, providing that nothing herein shall impair or effect in any wise road bonds heretofore issued by said Madison county or any subdivision thereof under the special road law of said county or otherwise, and that nothing herein shall affect or impair any existing contract executed or entered into by the commissioners' court of Madison pursuant to the special road law hereby repealed, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Bowers, the constitutional rule requiring bills to be read on three several days was

suspended and H. B. No. 255 put on its third reading and final passage, by the following vote:

Yeas—29.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Miller.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.
Parr.	

Absent—Excused.

Hardin of Erath. Lewis.

H. B. No. 255 was laid before the Senate, read third time, and passed finally, by the following vote:

Yeas—29.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Miller.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.
Parr.	

Absent—Excused.

Hardin of Erath. Lewis.

S. B. No. 241 Re-Committed.

Senator Reid moved that S. B. No. 241 be recommitted to Committee on Educational Affairs.

The motion was adopted.

H. B. No. 262.

The Chair laid before the Senate, on second reading.

H. B. No. 262, A bill to be entitled "An Act to create the Timpson Independent School District in Shelby county, Texas; to provide for the election of trustees, for the raising of revenue, issuing bonds, maintain-

ing public free schools, declaring valid an issue of bonds heretofore made, declaring valid a maintenance tax heretofore levied, providing for extension of boundaries, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Strong, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 262 put on its third reading and final passage, by the following vote:

Yeas—29.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Miller.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.
Parr.	

Absent—Excused.

Hardin of Erath. Lewis.

H. B. No. 262 was laid before the Senate, read third time and passed finally, by the following vote:

Yeas—29.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Miller.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.
Parr.	

Absent—Excused.

Hardin of Erath. Lewis.

House Bill No. 270.

The Chair laid before the Senate, on second reading,

H. B. No. 270, A bill to be entitled "An Act creating and incorporating the Melvin Independent County Line School District lying in the counties of McCulloch and Concho in the State of Texas; defining the boundaries thereof; providing for a board of trustees thereof placing said independent district under the control of the general laws, governing independent districts; providing that no outstanding indebtedness of the Melvin County Line District be invalidated, and declaring an emergency."

The Committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Woodward, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 270 put on its third reading and final passage, by the following vote:

Yeas—29.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Miller.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.
Parr.	

Absent—Excused.

Hardin of Erath. Lewis.

H. B. No. 270 was laid before the Senate, read third time and passed finally, by the following vote:

Yeas—29.

Bailey.	Miller.
Berkeley.	Moore of Hunt.
Bledsoe.	Moore of Cooke.
Bowers.	Murphy.
Davis.	Parnell.
Fairchild.	Parr.
Floyd.	Pollard.
Hardin of Kaufman.	Price.
Holbrook.	Real.

Reid.	Ward.
Russek.	Wirtz.
Smith.	Witt.
Strong.	Wood.
Stuart.	Woodward.
Triplett.	

Absent—Excused.

Hardin of Erath. Lewis.

House Bill No. 277.

The Chair laid before the Senate, on second reading.

H. B. No. 277, A bill to be entitled "An Act to provide for the issuance of oil and gas leases on University land and continuing in force all other laws relating to the issuance of oil and gas permits and development of oil and gas on University lands, except such laws and parts of laws as may be in conflict with this Act, and declaring an emergency."

The committee report, recommending amendments, was read.

Senator Wirtz moved that the bill be recommitted to the Committee on Public Lands and Land Office.

Senator Wirtz made the point of order that the bill could not be considered, under the rules, on account of not having been printed for the required time, and the Chair sustained the point of order.

Senate Concurrent Resolution No. 24.

By Senator Stuart:

Whereas, at the end of the administration of Hon. W. P. Lane as State Comptroller in 1915, there was left to his account in the Citizens State Bank and Trust Company, of Austin, Texas, the sum of \$148.55, after transferring all funds not deposited in the State Treasury, to his successor, for which he was responsible to the State of Texas, and

Whereas, there remained in the special fund kept by the Hon. W. P. Lane in the said Citizens State Bank and Trust Company of Austin, Texas, the further sum of \$249.23, after depositing in the State Treasury and transferring all amounts to his successor for which the said W. P. Lane was and is responsible to the State of Texas, and

Whereas, more than ten years since the administration of W. P. Lane has now elapsed and the above amounts aggregating the sum of \$397.78 is still on deposit to the account of W. P. Lane, there being no outstanding claims against said amount, and

Whereas, said money is of a right the property of the estate of W. P. Lane, therefore be it resolved by the Senate of the State of Texas, the House of Representatives concurring, that the Citizens State Bank of Austin, Texas, as the successor of the Citizens State Bank and Trust Company, be required and is hereby authorized to pay to Mrs. W. P. Lane, the surviving wife of W. P. Lane, the said sum of \$397.78, taking her receipt therefor.

The resolution was read and adopted.

Senate Concurrent Resolution No. 25.

By Senator Parr:

Whereas, The citizens of Nueces, Kleberg, Kenedy, Willacy, Cameron and Hidalgo Counties have invited the Legislature of Texas to celebrate March 2, Texas Independence Day as their guests; and

Whereas, In order to accept this invitation, it will be necessary for the senators and representatives to leave Austin after the close of legislative business on February 27, returning for business March 3, 1925; and

Whereas, the Senate and House have been constantly engaged in session and committee work since the convening of the present session of the Legislature, and are in need of relaxation; and

Whereas, The section of Texas, which has extended such invitation differs from all other portions of Texas in many important particulars of soil and climate, and presents various legislative problems concerning which many senators and representatives desire first hand information; and

Whereas, The committee work of both houses has reached that stage that the little legislative time lost in accepting the invitation of the citizens of South Texas can be made up by the Houses, respectively, convening an hour earlier each day for morning and afternoon sessions and by two evening sessions in each House; therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the invitation of the citizens of the lower counties of South Texas to celebrate Texas Independence Day on the blue waters of the Gulf of Mexico and amid the nation's winter-gardens and

the orange groves and grape-fruit orchards of South Texas as hereby accepted.

The resolution was read and adopted.

Adjournment.

On motion of Senator Wood the Senate, at 4:45 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Committee Reports.

(Majority Report.)

Committee Room.

Austin, Texas, Feb. 18, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, a majority of your Committee on Insurance, to who was referred

S. B. No. 246, A bill to be entitled "An Act amending Chapter 179 of the General Laws of the Regular Session of the Thirty-third Legislature, as amended by Chapter 103 of the General Laws of the Regular Session of the Thirty-fifth Legislature, as amended by Chapter 115 of the General Laws of the Regular Session of the Thirty-seventh Legislature, as amended by Chapter 177 of the General Laws of the Regular Session of the Thirty-eighth Legislature, relating to workmen's compensation employers' liability and authorizing any employer of labor in this State who may, under the said Act or Acts, insure his liability to pay the compensation provided by law, to carry his own insurance by depositing with the State Treasurer, money, bonds and other securities, or indemnity bond in an amount to be fixed by the Commissioner of Insurance of the State of Texas, based upon the probable loss of such employer actuarially ascertained providing that such securities may be substituted from time to time, as occasion may require, exempting from taxation such money, bonds or other securities in the city of Austin and Travis County, requiring reports of employers, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

RUSSEK, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, Feb. 18, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I, a minority of your Committee on Insurance, to whom was referred

S. B. No. 246, A bill to be entitled "An Act amending Chapter 179 of the General Laws of the Regular Session of the Thirty-third Legislature as amended by Chapter 103 of the General Laws of the Regular Session of the Thirty-fifth Legislature as amended by Chapter 115 of the General Laws of the Regular Session of the Thirty-seventh Legislature as amended by Chapter 177 of the General Laws of the Regular Session of the Thirty-eighth Legislature relating to Workmen's Compensation Employers' Liability and authorizing any employer of labor in this State who may, under the said act or acts, insure his liability to pay the compensation provided by law, to carry his own insurance by depositing with the State Treasurer, money, bonds and other securities, or indemnity bond in an amount to be fixed by the Commissioner of Insurance of the State of Texas, based upon the probable loss of such employer actuarially ascertained providing that such securities may be substituted from time to time, as occasion may require, exempting from taxation such money, bonds or other securities in the City of Austin and Travis County, requiring reports of employers, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WARD.

Committee Room,

Austin, Texas, Feb. 18, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 281, A bill to be entitled "An Act to amend Section 30, Chapter 33, of the Acts of the First Called Session of the Thirty-third Legislature of the State of Texas, relating to the incorporation and regulation of building and loan associations, so as to prescribe the amount of fees that shall be paid into the

State Treasury by foreign building and loan associations, requiring such associations to make reports, and declaring an emergency."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

RUSSEK, Chairman.

Committee Room,

Austin, Texas, Feb. 18, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We your Committee on Insurance, to whom was referred

S. B. No. 166, A bill to be entitled "An Act making certain kinds of insurance companies doing business in this State liable for additional expenses, loss and injury entailed by reason of refusing to pay holders of their policies on which certain losses have occurred and to provide a penalty therefor, together with reasonable attorney's fees, and to declare an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

RUSSEK, Chairman.

Committee Room,

Austin, Texas, Feb. 18, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Penitentiaries, to whom was referred

H. B. No. 42, A bill to be entitled "An Act to regulate and more definitely prescribe the manner of handling trustees around the penitentiaries and the penitentiary farms, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

FAIRCHILD, Chairman.

Committee Room,

Austin, Texas, Feb. 18, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Penitentiaries, to whom was referred

H. B. No. 94, A bill to be entitled "An Act to amend Article 1610, Title 18 of the Penal Code of the State of Texas relating to the modes of punishment of convicts, fixing punishment for violation thereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

FAIRCHILD, Chairman.

Committee Room,

Austin, Texas, Feb. 18, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 298, A bill to be entitled "An Act providing for the employment of teachers who have been engaged ten years in teaching a special subject, without requiring that they have a certificate, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WITT, Chairman.

Committee Room,

Austin, Texas, Feb. 18, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 283, A bill to be entitled "An Act to increase and provide for the salary of the Superintendent of Public Instruction of Limestone County, Texas; providing for office expenses, traveling expenses; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WITT, Chairman.

Committee Room,

Austin, Texas, Feb. 18, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 335, A bill to be entitled "An Act creating the Asherton Independent School District in Dimmit County, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trus-

tees all the rights, powers, privileges, duties and liabilities now conferred and imposed by the General Laws of Texas upon independent school districts and the board of trustees thereof; declaring that all taxes or bonds heretofore authorized by Asherton Common School District No. 2 of Dimmit County, Texas, shall remain in full force and effect, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, Feb. 18, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 364, A bill to be entitled "An Act to change the territory included in the Batson Independent School District in Hardin County, and for other purposes."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 330, A bill to be entitled "An Act to amend Chapter 90, page 185, of the General Laws of the State of Texas passed by the Thirty-eighth Legislature at its Regular Session in 1923, the same being an Act to reorganize the Thirty-fifth Judicial District of Texas, to name the counties composing such Thirty-fifth Judicial District of Texas, and to fix the time of holding court in the counties composing said district; to provide for the execution and return of process issued out of said court, and fixing the time when this Act becomes effective."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PRICE, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 327, A bill to be entitled "An Act relating to water improvement districts, and providing that lands admitted to a water improvement district organized or operating under Section 59, Article 16 of the State Constitution may be admitted upon agreement that same be taxed upon assessment of benefit plan or upon a uniform acreage basis or upon a definite annual payment; providing that in the collection of delinquent taxes the attorney's fees of not to exceed 10% of such taxes shall be added to same and judgment may be recovered therefor, and that publication of delinquent tax rolls is not prerequisite to the filing of such suit; amending Section 72, Chapter 87, Acts of the Regular Session of the Thirty-fifth Legislature, as amended by Section 1, Chapter 58, of the Acts of the Regular Session of the Thirty-eighth Legislature, and being Article 7718 of the Revised Civil Statutes of 1925; providing for the election of five directors for a district and that in certain districts, containing not to exceed 12,000 acres of land in which 60% or more of the lands are owned by persons who do not reside in the district, in which the petition for organization so provides, such directors shall be appointed by the county commissioners' court and the procedure thereof; providing that assessments of a water improvement district for maintenance and operation shall be a lien against the lands assessed and shall not be barred by limitation; amending Section 83, Chapter 87, Acts of the Regular Session of the Thirty-fifth Legislature, and being Articles 7732 to 7736, inclusive, of the Revised Civil Statutes of 1925, providing that lands in an adjoining county may be added to a district in the same manner as if situated in the same county; providing a water improvement district may file reports and make audits for each calendar year, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BLEDSON, Chairman.

(Majority Report.)

Committee Room,
Austin, Texas, Feb. 18, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, a majority of your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 10, A joint resolution "Proposing an amendment to the constitution providing for taxation of school lands owned by counties."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HOLBROOK, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, Feb. 18, 1925.
Hon. Barry Miller, President of the Senate.

Sir: I, a minority of your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 10, A joint resolution "Proposing an amendment to the constitution providing for taxation of school lands owned by counties."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

WIRTZ.

Committee Room,
Austin, Texas, Feb. 18, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 11, A joint resolution "Proposing an amendment to Article 16 of the constitution of Texas, by the addition of a new section to be numbered 60; providing legislative authority for the enactment of laws to encourage the conservation of the timber resources of the State, and for the reforestation of deforested lands; for the administration of such laws; for the time and manner of voting upon such proposed constitutional amendment; defining certain duties of the Governor in connection therewith; and making an appropriation to defray expenses of proclamation, publication and election."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HOLBROOK, Chairman.

Committee Room.

Austin, Texas, Feb. 18, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 14, A joint resolution "Proposing an amendment to Section 3 of Article 7 of the constitution of Texas so as to increase the authorized rate of taxation for State purposes to one (\$1.00) dollar on the one hundred (\$100.00) dollar valuation."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

HOLBROOK, Chairman.

Committee Room,

Austin, Texas, Feb. 18, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 319 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, Feb. 18, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 266 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, Feb. 18, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 258 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, Feb. 18, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 257 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, Feb. 18, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 248

carefully examined and compared,
and find same correctly engrossed.
STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 18, 1925.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 244
carefully examined and compared,
and find same correctly engrossed.
STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 18, 1925.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 243,
carefully examined and compared,
and find same correctly engrossed.
STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 18, 1925.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 242
carefully examined and compared,
and find same correctly engrossed.
STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 18, 1925.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 240
carefully examined and compared,
and find same correctly engrossed.
STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 18, 1925.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 239
carefully examined and compared,
and find same correctly engrossed.
STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 18, 1925.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 195
carefully examined and compared,
and find same correctly engrossed.
STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 18, 1925.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 192
carefully examined and compared,
and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 18, 1925.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 141
carefully examined and compared,
and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 18, 1925.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on En-
grossed Bills have had S. B. No. 92
carefully examined and compared,
and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 18, 1925.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. J. R. No. 2
carefully examined and compared,
and find same correctly engrossed.

STRONG, Chairman.

(Floor Report.)

Senate Chamber,
Austin, Texas, Feb. 18, 1925.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on Con-
stitutional Amendments, to whom
was referred

S. J. R. No. 15.

Have had the same under consid-
eration, and I am instructed to re-
port the same back to the Senate
with the recommendation that it do
pass, and be not printed, but that it
be printed in the Journal.

Holbrook, Davis, Murphy, Bailey,
Hardin of Kaufman, Miller, Wood-
ward, Wirtz, Price.

Committee Room,
Austin, Texas, Feb. 18, 1925.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on
Criminal Jurisprudence, to whom was
referred H. B. No. 217,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be printed in the Journal only.

WARD, Chairman.

TWENTY-NINTH DAY.

Senate Chamber,
Austin, Texas,

Thursday, February 19, 1925.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman.	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parr.	

Absent—Excused.

Lewis. Parnell.

Prayer by Rev. Dr. Owers.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Davis.

Excused.

Senator Parnell was excused for an indefinite time on account of important business on motion of Senator Bledsoe.

Petitions and Memorials.

Senator Moore of Cooke presented a numerous signed petition by Cooke County citizens opposing the proposed tax on cigars and cigarettes.

Senator Holbrook presented telegram and letters from Brazoria and Angleton protesting the criticism of Col. Jake Herring, Dr. Mosley and others of the prison system, stating that they felt that the criticism was unjust, etc.

Bills and Resolutions.

By Senator Pollard:

S. B. No. 343, A bill to be entitled "An Act to amend Chapter 167, General Laws of the Thirty-sixth Legislature, Regular Session, the same being an Act creating a State Board of Control, providing the methods of appointment of its members and prescribing its duties and authority, by adding to the said Act Section 9a thereof, prescribing certain qualifications for the Superintendent of the Deaf and Dumb Asylum

Read first time and referred to Committee on State Affairs.

By Senator Bowers:

S. B. No. 344, A bill to be entitled "An Act creating the Franklin Independent School District in Robertson County, Texas, validating all levies of taxes and contracts made in behalf of the existing Franklin Independent School District; continuing in office the board of trustees of said independent district; providing for the maximum rate of taxation for the issuance of bonds and the maintenance of the public free schools, repealing all laws in conflict with the provisions of this Act, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senators Price and Moore of Hunt:

S. B. No. 345, A bill to be entitled "An Act to amend Article 2914 of the Revised Statutes of Texas of 1911, relating to dividing cities and towns into electing precincts by the commissioners' court, so as to provide that it shall be the duty of commissioners' courts to re-establish and reorganize the election precincts in incorporated cities, towns and villages so that no such precinct shall have resident therein more than four hundred voters as shown by the vote cast at the last preceding general city election, and providing for additional subdivision of such precincts when the numbers of voters therein exceed four hundred; providing when an election precinct shall not be made out of parts of two or more words; providing a method for enforcing the provisions of this Act, and declaring an emergency."

Read first time and referred to Committee on Towns and city Corporations.